

REMARKS

The present application was filed on January 23, 2004 with claims 1 through 30. Claims 1 through 30 are presently pending in the above-identified patent application.

In response to a Notice of Panel Decision from Pre-Appeal Brief Review dated
5 May 31, 2006, Applicants faxed to the Examiner on June 20, 2006 a proposed amendment to claim 1 and scheduled a telephone interview for June 26, 2006. During the telephone interview with the Examiner and Supervisory Primary Examiner, a modified version of the proposed amendment was discussed and reviewed. The Examiner and SPE agreed that the cited amendment distinguished the present claims over the cited prior art. Based upon the agreed
10 amendment, Applicants submitted a Voluntary Amendment and Request for Continued Examination on July 24, 2006. Subsequently, a final Office Action was mailed on September 11, 2006 that rejected the amendment as being new matter, and maintained the section 102 rejection.

Since the Voluntary Amendment was submitted with a Request for Continued
15 Examination, Applicants believe that the subsequent Office Action should have been categorized as non-final. During a telephone interview on March 8, 2007, the Examiner and SPE agreed that the Office Action of September 11, 2006 should have been non-final. Thus, Applicants hereby request that the finality of the cited Office Action be withdrawn. In addition, based on the telephone interview of June 26, 2006, Applicants request that the Examiner reconsider the
20 remarks submitted in the Response After Final Rejection dated November 3, 2006. The Examiner and SPE indicated that a new non-final Office Action will be mailed in response to this submission.

The Examiner and SPE are thanked for their time during the telephone interviews.

All of the pending claims, i.e., claims 1 through 30, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kevin M. Mason".

Date: March 9, 2007

Kevin M. Mason
Attorney for Applicant(s)
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560